

PATENT COOPERATION TREATY
PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

REC'D 23 DEC 2004

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Applicant's or agent's file reference 62800-019	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/GB 03/03701	International filing date (day/month/year) 27.08.2003	Priority date (day/month/year) 29.08.2002
International Patent Classification (IPC) or both national classification and IPC G08G1/123		
Applicant ITIS HOLDINGS PLC et al.		

1. This International preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand

29.03.2004

Date of completion of this report

21.12.2004

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**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/GB 03/03701**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-28 as originally filed

Claims, Numbers

1-17 as originally filed

Drawings, Sheets

1/18-18/18 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1,2,4,7-12,16,17
Inventive step (IS)	Yes: Claims	
	No: Claims	3,5,6,13-15
Industrial applicability (IA)	Yes: Claims	
	No: Claims	1-17

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB 03/03701

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: US 2002/055818 A1

D2: US 5 724 243 A

D3: US 5 539 645 A

Independent Claims

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claims 1, 16, 17 is not new in the sense of Article 33(2) PCT.

A method of operating a traffic scheduling computer system for planning journeys, each journey having a plurality of transit points, the method comprising:
receiving scheduling criteria including transit point data (D1, page 4, left column, lines 15-20)
receiving map data, said map data comprising one or more routes, each route defined by a plurality of route sections (D1, page 4, left column, line 60 - right column, line 3)
receiving forecast speed information from a traffic unit on each said route-section, the forecast speed for a given route-section depending on historical speed data for that route section at a predetermined time on a particular day (D1, page 4, right column, lines 25-30; *it is immediately and unambiguously derivable from the cited passage, that the 'past travel times' are equivalent to the 'historical speed data' because the length of the stretches is known and therefore 'travel time' and 'speed' are equivalent magnitudes*) and
planning a journey including a plurality of transit points in dependence on the scheduling criteria and forecast speed information (D1, page 4, right column, lines 33-36).

The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent claims 16, 17, which therefore are also considered not new.

Dependent Claims

**INTERNATIONAL PRELIMINARY
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Dependent claims 2-15 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step:

Document D1 discloses the contents of claims 2,4 (rescheduling, page 6, right column), 8-9 (page 4), 11-12 (page 4).

Claim 7 refers to the solution algorithm starting with a solution and improving it. Such two-step solution is a common approach (i.e. the use iterative solving system until convergence is the wide-spread common way to implement a numerical solution to any problem). Therefore claim 7 is not inventive (Art. 33(3) PCT).

The use of traffic reports and new events (Claims 3,5,6), already implicit in D1, is therefore non-inventive having regard to well-known state of the art, as shown in D2.

With respect to the use of real-time traffic data, such features relate to the enhancement of the data to be fed into the system. These are additional features which would be incorporated by the person skilled in the art into the method as a natural improvement, as shown in D3. Therefore the method is not inventive because it is an obvious development for the one disclosed in D1.